

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

DOROTHY BENTLEY, as Administratrix of the Estate of JERRY BUCKNER,)	
)	
Plaintiff)	
)	
v.)	3:07-cv-00873-MHT-WC
)	
JIMMY ABBOTT, individually, BLAKE JENNINGS, individually, DR. SHUISTER, individually, CATHY DUBOSE, individually, and TALLAPOOSA COUNTY JAIL,)	
)	
Defendants)	

**MOTION TO EXTEND TIME FOR FILING OF
RESPONSE TO COMPLAINT AND/OR MOTION TO DISMISS**

COME NOW, Defendants JIMMY ABBOTT, individually, BLAKE JENNINGS, individually, and CATHY DUBOSE, individually, and TALLAPOOSA COUNTY JAIL¹, to request an extension of time for the filing of a response to the Complaint and/or a Motion to Dismiss. The grounds for this motion are as follows:

1. Defendants JIMMY ABBOTT, CATHY DUBOSE and TALLAPOOSA COUNTY JAIL were served on or about October 3, 2007, BLAKE JENNINGS was served on or about October 4, 2007.

2. Defense Counsel have consulted with Plaintiff's counsel and Plaintiff's counsel does not object to the granting of this Motion.

¹ Although the Tallapoosa County Jail is not a suable entity, the undersigned counsel enter an appearance for this Defendant and will file a response and/or a motion to dismiss on its behalf, without waiving any defense, including the position that this Defendant is not a suable entity.

WHEREFORE, PREMISES CONSIDERED, Defendants JIMMY ABBOTT, BLAKE JENNINGS, CATHY DUBOSE and TALLAPOOSA COUNTY JAIL request that they be granted a 28-day extension, to and including November 19, 2007, for the filing of their responsive pleading and/or Motion to Dismiss.

Respectfully submitted on this the 22nd day of October, 2007.

**s/Bart Harmon
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CERTIFICATE OF SERVICE

I hereby certify that on this the 22nd day of October, 2007, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to the following:

**Jay Lewis, Esq.
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**s/Bart Harmon
OF COUNSEL**